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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 4th May, 1984:—

BILL No. 41 OF 1984

A Bill to provide for settling farmers' loans and to lay guidelines for regulating loans to farmers

WHEREAS the farmers raising loans through financial institutions are considerably under pressure because of their default in repayment of instalments of loan and are thus disqualified for fresh loans adversely affecting farm production, leading to shortage of food grains;

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Removal of Farmers' Indebtedness Act, 1984. Short title, extent and commencement.

(2) It extends to the Union territories only.

(3) It shall be deemed to have come into force on the 15th day of August, 1947.

2. In this Act unless the context otherwise requires,— Definitions.

(*a*) 'farmer' means anyone who owns land for agricultural purposes;

(*b*) 'loan' means the amount of money taken by farmers on credit from financial institutions, i.e. banks and other such agencies giving agricultural loans to farmers;

(*c*) indebtedness' means an obligation to repay a loan obtained from a financial institution.

Settlement of farmers' loans.

3. The Government of India shall, by notification, order all banks and other financial institutions advancing loans to farmers to stop all recovery processes and to start final settlement processes in each case where a loan has been taken by a farmer who has not been able to repay it, and settle all such cases within six months from the date of such notification as follows:—

(*a*) the loan amount, shall be segregated in two parts—(i) original principal amount, and (ii) interest amount;

(*b*) the simple interest shall be calculated on the principal amount from the date of advancing the loan to the date of starting the settlement process straightaway;

(*c*) the amount already paid by the farmer shall be adjusted first against the principal amount, and then against the interest amount calculated in accordance with the procedure laid down in clause (*b*);

(*d*) the remaining unpaid amount shall be divided into 10 equal annual instalments free of interest and shall be recoverable every year but no legal proceedings shall be initiated till the farmer defaults in payment for three years consecutively;

(*e*) the financial institutions shall give concessions for refunding the loan if there is a famine/drought or any other natural calamity and fifty per cent of the amount of such concessions given by a financial institution during a year shall be reimbursed to that institution by the Central Government;

(*f*) the financial institutions shall charge the rate of interest in such a way so as not to exceed the rate of interest given by them on the savings deposited with them by the general investing public;

(*g*) in the final settlement ways and means shall be devised in such a way so that the farmer is not required to pay more than 50 per cent of the original principal amount by way of interest;

(*h*) if the farmer has made payment under clause (*d*) to the extent of 50 per cent of the instalments of unpaid loan he shall automatically be considered as eligible for fresh loan.

Guidelines for fresh loans to farmers.

4. The Government shall, issue the following guidelines to the financial institutions for making fresh loans to the farmers, namely:—

(*a*) the financing institutions shall charge only 2 per cent more of simple interest than that is paid by them on savings deposited with them by general investing public;

(*b*) in no case interest shall be calculated aggregately or separately on previous unpaid interest.

(c) Whenever there is a natural calamity, existence of which is confirmed by the Administration of a Union territory, instalments of loan for that year shall be written-off treated as bad debt and fifty per cent of the amount of such concession given by a financial institution during a year shall be reimbursed to that institution by the Central Government;

(*d*) the amount re-paid by the farmer from time to time shall always be adjusted against his instalment payable on the date and shall not in any case be adjusted against the interest amount, so that the interest shall be calculated only on the remainder of the principal amount of the loan.

STATEMENT OF OBJECTS AND REASONS

As the indebtedness of farmers is a very chronic and continuing problem, it is absolutely necessary now to resolve this knotty problem and thus make the farmer free from the clutches of the various financing bodies so that he is able to concentrate fully on getting increased production of farm products on his land. The Central Government should take a lead in this matter in so far as the Union territories are concerned so that the States could also follow suit.

Hence this Bill.

NEW DELHI;
March 21, 1984.

UTTAMRAO PATIL.

FINANCIAL MEMORANDUM

Clauses 3(e) and 4(c) of the Bill provide for giving concessions to farmers for refunding their loans if there is a famine or other natural calamity in the country and fifty per cent of the amount of such concessions during a year shall be reimbursed to the financial institutions by the Central Government. The Bill, therefore, if enacted, is likely to involve an annual recurring expenditure of about Rs. 25 lakhs from the Consolidated Fund of India.

A non-recurring expenditure of about Rs. 5 crores will also be involved.

BILL NO. 35 OF 1984

A Bill to provide for certain agencies to ensure freedom of having access to and obtaining public information for the citizens and for matters connected therewith.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Freedom of Information Act, 1984.

(*2*) It extends to the whole of India.

(*3*) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Citizens not to be denied freedom of information.

2. Notwithstanding anything contained in any other Act for the time being in force, no citizen of India shall be denied the freedom to have access to or to obtain information relating to public affairs save as otherwise provided in this Act.

Constitution of National Information Bureaus.

3. (*1*) The Central Government shall constitute such number of agencies to be called the National Information Bureau (hereinafter referred to as Bureau) in every State and Union territory as it may consider necessary for ensuring the freedom of having access to and obtaining public information for the citizens.

(*2*) Each Bureau shall consist of such number of advisors as the Central Government may determine from time to time.

(*3*) Each Bureau shall have a Chief of Bureau to function as its head who shall be appointed by the Central Government.

(*4*) The Advisors to a Bureau shall be appointed by the Central Government on the advice of its Chief of Bureau in such manner that they represent the concerned sectors of public information and are capable of ensuring freedom of having access to and obtaining as much public information for the citizens as the Bureau may find it possible to make available to the public for inspection and copying.

Classification of information.

4. Each Bureau shall classify all information available with it, or to be made available to it, in such manner as it may deem practicable and convenient keeping in view the nature and source of the information.

Exemption of certain types of information from disclosure.

5. Certain types of information may, by Executive Order, be declared by the Central Government or the Governments of the States or the Administrations of the Union-territories, as secret in the interest of national defence or foreign policy or judicial process or maintenance of public peace or law and order or such other matters as may be so declared from time to time and shall be exempt from disclosure under this Act.

Reports.

6. Each Bureau shall submit a quarterly Report on its working to the Governor of a State or the Lieutenant Governor or other such authority of a Union-territory who shall forward the same to the President, as early as practicable, with his comments and recommendations thereon.

Obligation to supply information.

7. Subject to the provisions of section 5, it shall be obligatory on the part of each Bureau to make available the maximum possible information to the citizens and also on the part of the Central Government and the Governments of the States and the Administrations of the Union-territories to make available to the respective Bureau as much information as possible on priority basis.

Complaint and appeal.

8. In every case of denial or undue delay in the supply of information, any citizen requesting for the information shall have the opportunity to make a complaint to the Chief of Bureau in regard thereto, in the first instance, and to make a first appeal to the Governor or the Lieutenant Governor as the case may be and the second appeal to the President, against the decision of the Chief of Bureau, the Governor or the Lieutenant Governor, as the case may be.

Fees for information.

9. Each Bureau shall charge such fees for making available any information as it may deem adequate in respect of each class of information.

Officers and staff.

10. Each Bureau shall have a Secretary and such other Officers and staff as may be considered necessary from time to time to execute the work of the Bureau efficiently.

STATEMENT OF OBJECTS AND REASONS

There is widespread discontent among the masses leading to all sort of turmoil and disturbances in almost all parts of the country, particularly directed against the Government of the day. Among other things, one of the basic causes of this disturbing phenomenon is ignorance or lack of adequate information available to the people leading to mistrust among them regarding the working and the pronouncements of the Government. It is time to recall and act in the spirit of the famous dictum of Abraham Lincoln that democracy is Government of the people, for the people and by the people. In this direction it is felt imperative that there should be some legislation to start with providing for the freedom of information to the people.

Hence this Bill.

NEW DELHI;
March 22, 1984.

SUBRAMANIAM SWAMY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of such number of the National Information Bureaus in each State and Union-territory, as may be considered necessary, by the Central Government. Clause 10 provides for the appointment of a Secretary and such other officers and staff as may be considered necessary from time to time for the work of the Bureau efficiently. Though there is provision for charging adequate fees to meet the expenses involved in carrying out the purposes of the Bill, yet the provisions when enacted and brought into operation would involve expenditure from the Consolidated Fund of India.

There is likely to be a non-recurring expenditure of a approximately Rs. 50 lakhs and a recurring per year expenditure of about the same order.

BILL NO. 39 OF 1984

A Bill to provide for regulation and control of technical servicing units in the country

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Regulation and Control of Technical Servicing Units Act, 1984.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

Definition.

2. In this Act, unless the context otherwise requires, "technical servicing unit" means and includes any person or any body corporate engaged in the servicing of any technical equipment including electrical, mechanical and electronic equipment and automobiles and such other items.

Regulation and control of technical servicing units.

3. Notwithstanding anything contained in any other law for the time being in force, the State Government or the Union Territory Administration, as the case may be, shall regulate and control effectively the setting up of and working of any technical servicing unit in their respective territories in accordance with the norms laid down by the Technical Servicing Units Institute under sub-section (*2*) of section 4.

Setting up of a Technical Servicing Units Institute.

4. (*1*) **The Central Government shall set up an Institute known as "The Technical Servicing Units Institute" with its headquarters at Delhi and regional offices in the State Capitals.**

(2) The Institute shall be represented by technical experts in various fields and it shall lay down norms for effective control and regulation of all types of technical servicing units in the country.

STATEMENT OF OBJECTS AND REASONS

During the post independence era, with the massive industrial growth of the country, there is a long felt need for enacting some suitable legislation for effective control of the technical servicing units.

It is being observed that in almost all the technical fields, persons or body corporates have set up servicing units and are carrying on servicing jobs without any control on technical qualifications. These units have been using tools for servicing purposes without any standards.

Be it automobiles or electronics, there is a mushroom growth of self styled servicing units which neither have the necessary expertise nor the requisite tools to carry on their jobs properly. It has resulted some times, in huge financial losses to consumers as their valuable gadgets are spoiled by these units.

The present Bill is the need of the hour and unless it is enacted immediately, it would create a lot of chaos in both the consumer world as well as in the fields of various technical industries.

Hence this Bill.

NEW DELHI;
March 22, 1984

JAYANTI PATNAIK.

FINANCIAL MEMORANDUM

Clause 4(1) of the Bill provides for setting up of a Technical Servicing Units Institute with its headquarters at Delhi and the regional offices in the State capitals. The proposed set up would involve a recurring annual expenditure of about rupees fifty lakhs from the Consolidated Fund of India.

A non-recurring expenditure of about rupees one crore is also likely to be incurred from the Consolidated Fund of India on setting up of the Institute and its regional offices.

BILL NO. 33 OF 1984

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 1984.

Amendment of article 169.

2. In article 169 of the Constitution, in clause (1), for the word "may", the words "shall, as soon as possible," shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Andhra Pradesh Legislative Assembly passed a resolution seeking abolition of the Andhra Pradesh Legislative Council by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting.

Under article 169, the Government is required to initiate legislation in Parliament to give effect to the resolution of the Assembly seeking abolition of the Council.

The Government has taken the position that the adoption of the resolution by the Andhra Pradesh Legislative Assembly has vested authority in Parliament to pass legislation, if it so likes, but the Government on its part is under no obligation to initiate legislation. The argument of the Government is that article 169 has used the expression "Parliament may" and, therefore its implementation is not mandatory on the Government.

This amendment has become necessary in order to remove this technical difficulty.

Hence this Bill.

NEW DELHI;
March 23, 1984.

CHITTA BASU.

SUBHASH C. KASHYAP,
Secretary-General.

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